

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANDREW A. BLACKMUN,

Plaintiff,

Case No. 1:16-cv-181

v.

HON. JANET T. NEFF

STATE OF MICHIGAN MUNICIPAL
CORPORATIONS,

Defendant.

_____ /

OPINION AND ORDER

Plaintiff, proceeding pro se, initiated this civil rights action with the filing of his complaint on February 19, 2016. On March 16, 2016, the Magistrate Judge filed a Report and Recommendation (R&R), recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2)(B) on grounds that the complaint failed to state a claim upon which relief could be granted. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (Dkts 13 & 14).¹ In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Opinion and Order.

¹Plaintiff has also filed a plethora of rambling, mostly incomprehensible, motions (Dkts 8, 15-20 & 23-25), which do not address whether his complaint at bar states a claim upon which relief could be granted. In light of the Court's decision to dismiss his complaint, the motions are moot.

The Magistrate Judge determined that Plaintiff's complaint contains no facts, only a conclusory allegation that Plaintiff's work product was "violated and destroyed" (R&R, Dkt 10 at PageID.72). Plaintiff's objections do not address the Magistrate Judge's analysis or conclusion and therefore fail to demonstrate any error in her recommendation. Further, the Court finds the Report and Recommendation to be both factually sound and legally correct.

Accordingly, the Court will approve and adopt the Report and Recommendation as its opinion, and a Judgment will be entered consistent with this Opinion and Order. See FED. R. CIV. P. 58. For the above reasons and because this action was filed *in forma pauperis*, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Therefore:

IT IS HEREBY ORDERED that the Objections (Dkts 13 & 14) are DENIED and the Report and Recommendation (Dkt 10) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (Dkt 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a) that an appeal of the decision would not be taken in good faith.

This case is CLOSED.

Dated: July 15, 2016

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge